

Kevin G. Fitzgerald

Partner/Retired

kfitzgerald@foleyretiredpartners.com

Milwaukee

Tallahassee



Kevin G. Fitzgerald concentrates his practice in the fields of corporate and regulatory insurance law, insurance insolvency, premium taxation, privacy legislation, captive insurance matters, agent and agency licensing, and reinsurance transactions. He is a member and former chair of the firm's Insurance & Reinsurance Industry Team and a member of the Finance & Financial Institutions, Transactional & Securities, and Privacy, Security & Information Management Practices, as well as the Health Care & Life Sciences Sector.

Awards and Recognition

- Recognized by *The Legal 500* for his work in the area of insurance: advice to insurers (2011 – 2013) and insurance: noncontentious (2011 – 2013, 2015 and 2016)
- Named to *The Best Lawyers in America*® in the field of Insurance Law (2023-2024)
- Named the 2013 Milwaukee Insurance Law "Lawyer of the Year" by *Best Lawyers*®
- International Law Office and Lexology recognized him with a Client Choice award (2014)
- Listed in the 2015 *Expert Guides: The World's Leading Lawyers Chosen By Their Peers* for his work in insurance and reinsurance

Affiliations

- Member, American Bar Association (Business Law Section, Administrative Law and Regulatory Practice Section, and Tort & Insurance Practice Section)
- Member, State Bar of Wisconsin
- Member, Florida Bar
- Member and former president and CEO of the Federation of Regulatory Counsel

Presentations and Publications

- Author, "Fair Discrimination and Pricing in Multichannel Insurance Marketing," *SNL Insurance Daily*, August 17, 2015

- Author, "The CoOpportunity Liquidation and the Future of Affordable Care Act CO-Ops," *Bloomberg Health Insurance Report*, 21 HPPR 28, April 2015
- Author, "The Right Prescription? Should Your Company's Medical Benefits be Insured Through a Captive Insurance Company?," *Bloomberg Law Reports – Employee Benefits*, Vol. 4, No. 13, June 2011
- Author, "Essex v. Zota: Florida Surplus Lines Exemption Under Attack," Florida Underwriters, November 2008; *Insurance Legal News*, Fall 2008
- Author, "National Trends Affecting Producer Licensing," *FORC Quarterly Journal of Insurance Law and Regulation*, Vol. 19, Ed. 2, Summer 2008
- Presenter, "NAIC Updates to the Model Audit Rule," Marcus Evans Conference, New York, NY, April 2008
- Author, "The Death, by Taxes, of the Pure Captive," *Advisen Front Page News*, November 2007
- Presenter, "A Primer and Case Study on Alternative Risk Transfer Vehicles for Medical Professional Liability," AMGA 2007 Annual Conference, Scottsdale, AZ, March 2007
- Author, "Non-Profit Health Care Systems Captives: Is Your Captive an 'Insurance Company' and Do You Want It To Be?" *Law Watch*, Vol. 07-2, February 2007
- Presenter, "State & Local Tax/Blue Card Update," BCBS National Tax Conference, Palm Springs, CA, November 2006
- Presenter, "Update on Finite Reinsurance," Foley's Insurance Industry Team, Web Conference, December 2005
- Author, "Treasury Department Releases Final Rules Applying US Patriot Act to Certain Insurance Companies," *Insurance Law Update*, November 2005; *Journal of Payment Systems Law*, November/December 2005
- Presenter, "The Cost of Sarbanes-Oxley and NAIC/AICPA Joint Working Group Initiative," presented to NAIC, San Francisco, CA, June 2004
- Presenter, "Fair Credit Reporting Act" presented to Property Casualty Insurance Association of America, Chicago, IL, February 2004
- Author, "Anti-Money Laundering and the USA Patriot Act of 2001, America's War Against Terrorism Spreads to the Insurance Industry," Vol. IX, Ed. II, *FORC Quarterly Journal of Insurance Law and Regulation*, June 2002
- Presenter, "Health Insurance Portability and Accountability Act of 1996," NAIC Summer National Meeting, Philadelphia, PA, June 2002
- Presenter, "Premium Taxation of Blue Plans Under the Blue Card Program," BlueCross/BlueShield Association's 36th Annual Lawyers Conference, Denver, CO, May 2002
- Author, "Safeguarding the Privacy of Nonpublic Personal Information Under Gramm-Leach-Bliley: Another Train Is Leaving the Station," *Insurance Law Update*, March 2002
- Author, "Electronic Signatures in Global and National Commerce Act," *Insurance Law Update*, July 2000
- Author, "The Violent Crime Control and Law Enforcement Act of 1994: Its Pervasive Impact on the Insurance Industry and Why You Need to Know About It," *TIP Committee News*, PUB. REG. INS. L.

COMMITTEE, TORT & INS. PRAC. SEC., A.B.A., Spring 1999

Practice Areas

- [Corporate](#)
- [Insurance](#)
- [Mergers, Acquisitions & Complex Reinsurance Transactions](#)
- [Privacy, Security & Information Management](#)
- [Regulatory Compliance](#)

Education

- University of Wisconsin Law School (J.D., cum laude, 1987)
- Marquette University (B.S., magna cum laude, 1984)

Admissions

- Wisconsin (1987)
- Florida (1994)